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**Hearing Date: May 18, 2022 at 10:00 A.M.
(ET)**

Response Date: March 28, 2022

Reply Date: April 28 2022

Counsel for Banca Carige, S.p.A

**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

SECURITIES INVESTOR PROTECTION
CORPORATION,

Plaintiff-

Applicant,

v.

BERNARD L. MADOFF INVESTMENT
SECURITIES, LLC,

Defendant.

In re:

BERNARD L. MADOFF,

Debtor.

IRVING H. PICARD, Trustee for the
Liquidation of Bernard L. Madoff Investment
Securities LLC, and Bernard L. Madoff,

Plaintiff,

v.

BANCA CARIGE S.P.A.,

Defendant.

Adv. Pro. No. 08-01789 (CGM)

SIPA LIQUIDATION

(Substantively Consolidated)

Adv. Pro. No. 11-02570 (CGM)

ORAL ARGUMENT REQUESTED

**NOTICE OF A HEARING ON
BANCA CARIGE'S MOTION TO DISMISS THE COMPLAINT**

PLEASE TAKE NOTICE that, on January 28, 2022, defendant Banca Carige S.p.A. (“Banca Carige”), by and through its undersigned counsel, filed a motion (the “Motion”) [Adv. No. 11-02570 ECF 107], [Adv. No. 08-01789 ECF 21076], along with a memorandum of law [Adv. No. 11-02570 ECF 108], [Adv. No. 08-01789 ECF 21077], declaration of Francesco Guido [Adv. No. 11-02570 ECF 109], [Adv. No. 08-01789 ECF 21079] and declaration of David J. Mark [Adv. No. 11-02570 ECF 110], [Adv. No. 08-01789 ECF 21080] in support of the Motion, for an order dismissing the Complaint filed by plaintiff Irving H. Picard, Trustee for the Liquidation of Bernard L. Madoff Investment Securities LLC and the Estate of Bernard L. Madoff, pursuant to Federal Rules of Civil Procedure 12(b)(2) and 12(b)(6), as made applicable by Rule 7012 of the Federal Rules of Bankruptcy Procedure. The Motion will be heard before the Honorable Cecelia G. Morris, Chief United States Bankruptcy Judge for the United States Bankruptcy Court, Southern District of New York, on **May 18, 2022 at 10:00 a.m. (prevailing Eastern time)** (the “Hearing”), or as soon thereafter as counsel may be heard.

PLEASE TAKE FURTHER NOTICE that pursuant to the Court’s directive, all hearings will be conducted remotely pending further Order of the Court. All parties who wish to participate in the Hearing must refer to Judge Morris’ guidelines for remote appearances and are required to make arrangements to appear via ZoomGov. For further details on ZoomGov, please call the Courtroom Deputy at (845) 451-6367. Further instructions regarding remote appearances via ZoomGov can be found on the Court’s website at <https://www.nysb.uscourts.gov/zoom-video-hearing-guide>.

PLEASE TAKE FURTHER NOTICE that if you oppose the relief requested in the Motion you are required to file a written response (“Response”), and to serve the Response on Banca Carige’s Counsel David J. Mark, 1633 Broadway, New York, NY 10019, Attn: David J.

Mark, Esq., DMark@kasowitz.com, so that it is received by **March 28, 2022** (the “Response Deadline”). If a Response is filed to the Motion, Banca Carige shall file its reply by **April 28, 2022**.

PLEASE TAKE FURTHER NOTICE that if no Response is timely served with respect to the Motion, and no amended complaint timely filed, Banca Carige may, on or after the Response Deadline, submit to the Bankruptcy Court a proposed order granting the relief sought in the Motion.

PLEASE TAKE FURTHER NOTICE that you need not appear at the Hearing if you do not object to the relief requested in the Motion.

Dated: January 28, 2022
New York, New York

Respectfully Submitted,

KASOWITZ BENSON TORRES LLP

/s/ Andrew S. Golden

David J. Mark

Andrew S. Golden

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